IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 13TH SEPTEMBER 2007 / 22ND BHADRA 1929

Tr.P(C).No. 184 of 2004()

AGAINST THE ORDER IN MC. 278 /2004 IN
OPHMA.452/2004 of FAMILY COURT,KOLLAM
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PETITIONERS

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1. ARUN A., AGED 26 YEARS,
S/O. ARJUN, RESIDING AT T.C.NO.31/161,
'ARUN NIVAS', CHAKKA P.O., THIRUVANANTHAPURAM.

2. ARJUNAN, AGED 62, RESIDING AT
T.C.NO.31/161, 'ARUN NIVAS', CHAKKA P.O.,
THIRUVANANTHAPURAM.

3. OMANA, AGED 55 YEARS,
D/O. PANKAJAKSHI, T.C.NO.31/161 'ARUN NIVAS'
CHAKKA P.O., THIRUVANANTHAPURAM.

BY ADV. SRI.P.S.RAMESH KUMAR
SMT.ANNAMMA ABRAHAM
SMT.ACHA RANO MATHEWS.T.

RESPONDENTS:

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1. KAVITHA, AGED 22 YEARS,
D/O. VIJAYAN, RESIDING AT 'ASWATHY',
MULLUVALA PUTHEN VEEDU, KOTTIYAM P.O., KOLLAM.

2. SHINY, AGED 16 YEARS, D/O. SHOBANA,
MINOR REPRESENTED BY GUARDIAN MOTHER SHOBANA
(3RD RESPONDENT) RESIDING AT PUTHUVAL PUTHEN VEEDU
NEAR ALI SAINTS COLLEGE, THIRUVANANTHAPURAM.

3. SHOBANA, RESIDING AT PUTHUVAL PUTHEN
VEEDU, NEAR ALL SAINTS COLLEGE, THIRUVANANTHAPURAM

BY ADV. SRI.V.CHITAMBARESH
SRI.T.C.SURESH MENON

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.Krishnan, J.

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Tr.P(C).No.184 of 2004

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Dated this the 13th day of September, 2007.

JUDGMENT

Transfer petitioner is the husband, who is the petitioner in O.P.(H.M.A.) No.1239 of 2004 pending before the Family Court, Thiruvananthapuram. It is a petition filed by him for restoration of conjugal rights. Earlier to this, the wife has filed O.P.(H.M.A.) No.452 of 2004, O.S.No.318 of 2004 and M.C. No.278 of 2004 before the Family Court, Kollam, which includes one application for divorce by the wife against the husband. Now the transfer is sought on the ground of inconvenience to travel from Thiruvananthapuram to Kollam and therefore, the petitioner seeks transfer of all the cases from Kollam to Thiruvananthapuram. The petitioner is the husband and it is convenient for him to travel from Thiruvananthapuram to Kollam. Being a male member, he can always travel. But there is some limitation for the ladies to make such travel, especially in odd

hours. The ground alleged is flimsy and therefore, there are no grounds to effect a transfer of that case to Thiruvananthapuram. But it is desirable that all the cases are tried by one and the same court.

2. Therefore, in the interest of justice and to have a proper adjudication of the matter, I transfer O.P.(H.M.A.) No.1239 of 2004 pending before the Family Court, Thiruvananthapuram to the Family Court, Kollam for trial along with other three cases mentioned above.

Transfer Petition is disposed of accordingly.

M.N.Krishnan,
Judge.

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